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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,954	07/14/2003	Son Trung Tran	2508	6421

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EXAMINER

MATTHEWS, WILLIAM H

ART UNIT PAPER NUMBER

3738

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,954

Applicant(s)

TRAN, SON TRUNG

Examiner

William H. Matthews (Howie)

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on IDS filed 10-17-03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-17-03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portney US PUB 2003/0158560 in view of Grendahl et al. US PN 4,661,108.

Portney discloses in figures 24-26 and paragraphs 44,49,90,93,101,105 an intraocular lens comprising ring-like base component having haptics (524,526), slots (510), and a hollow center for receiving an optical component having tabs (506) that fit into slots (510). The base components may be opaque and stiff relative to the optic. Portney discloses the device for use in the posterior capsule but lacks the express written disclosure of providing a plurality of rings on the posterior surface. Grendahl teaches in lines 10-48 of col. 1 and figures an intraocular lens for use in the posterior capsule comprising a plurality of rings in order to prevent posterior capsule adhesion to the intraocular lens.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the intraocular lens disclosed by Portney by including a plurality of posterior rings as taught by Grendahl in order to prevent posterior capsule adhesion to the intraocular lens.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blake US PUB 2002/0173846 in view of Grendahl et al. US PN 4,661,108.

Blake discloses in figure 2 and 16B and paragraphs 12,14,41,43,59,60,63, and 72 an intraocular lens comprising ring-like base component (150) having haptics (190), slots (400 – see paragraph 63), and a hollow center for receiving an optical component having tabs (300) that fit into slots (400). The base components may be opaque and stiff relative to the optic. Blake discloses the device for use in the posterior capsule (paragraph 41) but lacks the express written disclosure of providing a plurality of rings on the posterior surface. Grendahl teaches in lines 10-48 of col. 1 and figures an intraocular lens for use in the posterior capsule comprising a plurality of rings in order to prevent posterior capsule adhesion to the intraocular lens.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the intraocular lens disclosed by Blake by including a plurality of posterior rings as taught by Grendahl in order to prevent posterior capsule adhesion to the intraocular lens.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poler US PN 4,122,556 in view of Grendahl et al. US PN 4,661,108.

Poler discloses in figures 6-7 an intraocular lens comprising ring-like base component (fig 6) having haptics (32,33), slots (37), and a hollow center for receiving an optical component (31) having tabs (32',33') that fit into slots (37). Poler lacks the express written disclosure of providing a plurality of rings on the posterior surface.

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Grendahl teaches in lines 10-48 of col. 1 and figures an intraocular lens for use in the posterior capsule comprising a plurality of rings in order to prevent posterior capsule adhesion to the intraocular lens.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the intraocular lens disclosed by Poler by including a plurality of posterior rings as taught by Grendahl in order to prevent posterior capsule adhesion to the intraocular lens.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Matthews (Howie) whose telephone number is 571-272-4753. The examiner can normally be reached on Monday-Friday 10-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine M. McDermott can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WHM

November 24, 2004



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